

17-25a-1 Constables -- Nomination -- Appointment -- Authority.

- (1)
- (a) The legislative governing bodies of counties and cities of the first or second class shall determine whether to appoint constables. If a county or city of the first or second class decides to appoint constables, they shall be nominated and appointed under this chapter.
 - (b) However, a constable holding office on April 23, 1990, may complete his term. Any subsequent terms he may serve shall be in accordance with this chapter.
- (2) To nominate a constable, the county or city of the first or second class shall establish a nominating commission.
- (a) The county nominating commission shall consist of one member of the county legislative governing body, one judge, the county attorney, the district attorney, the sheriff of the county, or their designees, and one private citizen.
 - (b) The city nominating commission shall consist of one member of the city legislative governing body, one judge, the city attorney, the chief of police, or their designees, and one private citizen.
 - (c) The nominating commission shall review each applicant's credentials and recommend to the legislative governing body of the county or city the nominees it finds most qualified by majority vote.
- (3) The county or city legislative governing body shall either appoint or reject any nominee.
- (4) The authority of a constable may be withdrawn by the county or city legislative governing body for cause, including if the constable's peace officer certification is suspended or revoked under Section 53-6-211.

Amended by Chapter 38, 1993 General Session

Amended by Chapter 234, 1993 General Session